

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RAYMOND HOLLOWAY, JR.,	:	CIVIL ACTION NO. 1:17-CV-81
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
JEFFERSON B. SESSIONS, III,	:	
Attorney General of the United	:	
States, THOMAS E. BRANDON,	:	
Acting Director of the Bureau of	:	
Alcohol, Tobacco, Firearms and	:	
Explosives, CHRISTOPHER A.	:	
WRAY, Director of the Federal	:	
Bureau of Investigation, and the	:	
UNITED STATES OF AMERICA,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 28th day of September, 2018, upon consideration of the plaintiff's motion (Doc. 58) for summary judgment pursuant to Federal Rule of Civil Procedure 56 and defendants' motion (Doc. 60) to dismiss, or in the alternative, for summary judgment pursuant to Federal Rules of Civil Procedure 12 and 56, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Plaintiff's motion (Doc. 58) for summary judgment is GRANTED.
2. Defendants' motion (Doc. 60) to dismiss, or in the alternative, for summary judgment is DENIED.

3. It is ORDERED and DECLARED that the felon-in-possession ban of 18 U.S.C. § 922(g)(1) is unconstitutional as applied to plaintiff Raymond Holloway, Jr. (“Holloway”) in violation of the Second Amendment to the United States Constitution. Defendants, together with all those acting in concert with them, are ENJOINED from enforcing, directing enforcement, or permitting enforcement of the felon-in-possession ban of 18 U.S.C. § 922(g)(1) against Holloway.
4. The Clerk of Court shall enter declaratory judgment in Holloway’s favor on his Second Amendment claim, brought pursuant to Binderup v. Attorney General, 836 F.3d 336, 339 (3d Cir. 2016) (*en banc*), cert. denied 137 S. Ct. 2323 (2017), challenging the felon-in-possession ban of 18 U.S.C. § 922(g)(1) as applied to him, said judgment to be entered in accordance with paragraph 3.
5. The Clerk of Court shall thereafter close this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania